BIOGRAPHICAL SUMMARY: William S. Richardson

William S. Richardson was born December 22, 1919, in Honolulu. He was educated at Roosevelt High School, the University of Hawai'i, and the University of Cincinnati College of Law, where he received his degree in 1943. He served in the U.S. Army from 1943 to 1946.

Richardson entered private practice in 1946 and worked until 1962. He was the chief clerk for the territorial senate in the 1955 and 1957 sessions. In 1962 he was elected lieutenant governor as a Democrat, under the John Burns administration.

Burns appointed Richardson chief justice of the Supreme Court of Hawai'i in 1966. Richardson left the bench in 1982. The following year he became a Bishop Estate trustee.

Tape Nos. 17-44-1-90 and 17-45-1-90

ORAL HISTORY INTERVIEW

with

William S. Richardson (WR)

January 24, 1990

Honolulu, O'ahu

BY: Warren Nishimoto (WN) and Daniel W. Tuttle, Jr. (DT)

Joy Chong: The following is an interview with William Richardson. It took place on January 24, 1990 at the KHET studios. The interviewers were Dan Tuttle and Warren Nishimoto. This is videotape number one.

WN: This is tape number one of an interview with Mr. Chief Justice, William Richardson. Today's—what's today?

DT: Twenty-third. Fourth.

WN: Today's January 24, 1990, and we're at the studio of Hawai'i Public Television.

Okay, Mr. Chief Justice, I'd like to first start by having you tell us a little bit about your family background, where you're from, and a little bit about your parents.

WR: Well, I was born right after World War I [on December 22, 1919], and my family was living in Pālama at the time. I don't remember that much about it, but we moved to Kaimukī after a couple of years. And went to Ali'iōlani School in Kaimukī when it first opened. It was an English-standard school which I didn't quite understand at that time. And then went to Roosevelt [High School]. In 1937, I got out of high school there, and then went to the University of Hawai'i, and graduated in '41, then went to law school at the University of Cincinnati [College of Law], and graduated in '43.

DT: Didn't you participate in politics a little bit in, maybe, grammar school, intermediate school, or must have been at Roosevelt, surely? (Chuckles)

WR: Oh, not that much. Some at the University of Hawai'i. I was pretty much one of the locker room boys, I guess. I felt that I had to get into sports a little bit more. I felt more at home there, and did some swimming. I was the captain of the (varsity) swimming team, the first time we [University of Hawai'i] got into intercollegiate swimming.

DT: Was this for [Soichi] Sakamoto, then?

WR: No, well, Sakamoto was a rival coach.

DT: I see.

WR: But some of his swimmers like, Hirose and Keo Nakama and (Jose) Balmores, all national champions, were on the (UH) team.

WN: A little bit about your father and mother.

WR: My mother [Amy Wong Richardson] was Chinese. My father [Wilfred Kelelani Richardson] was Hawaiian-*Haole*. He had come to O'ahu from Maui (for World War II military duty); and my mother, from Kohala in Hawai'i. I guess they brought us up like any other Chinese-Hawaiian family, you know, took all the traditions of the Hawaiians and all the traditions of the Chinese, and celebrated all the holidays together, and we got to know them pretty well. And I liked meeting people on both sides.

DT: You mentioned the family, brothers and sisters? I know you have a brother.

WR: I have five brothers and sisters. There are two brothers and three sisters.

WN: You said that your parents sent you to English-standard school. Was there any kind of pressures when you were young to speak proper English?

WR: Well, the two older ones went to Liholiho before the English-standard school came in. And then, when the English-standard school came, it was a brand-new school, and I guess, they were getting everybody in there. And I just happened to go there. It was closer [to home]. They did speak English better than at the other schools, but of course, most of them were *Haole*s so they spoke better English and tried to keep us from speaking the common pidgin English which—I couldn't get away from. All went to Ali'iōlani, just like I did. But only because the school was closer, I think. I don't think there was any real attempt to make us more *Haole* or more to speak English any better. It turned out that way, though, because we did speak English better. But that was the only reason I could think of, or reasons.

WN: What was it like growing up in Kaimukī?

WR: Well, of course, our house was a very modest house, and we walked two blocks to the road. (Chuckles) So we went through a lane and you can see we were really stuck back there. But everybody knew everybody else. When we played, we ended up at a park, and the kids from 4th Avenue would play with the 5th Avenue kids, and 5th Avenue and 6th Avenue, played in more, what you would call, the wilds. We walked up to Pālolo and played on a little golf course over there in Pālolo. Picked dates at Waikīkī. Spent a lot of time walking down to the beach.

WN: I guess Kaimukī was a pretty nice place to grow up 'cause you're near all those things (places).

WR: Well, then it was small. You knew almost everybody. Went to church first in Kapahulu (St. Mark's Episcopal Church) near the fire station and the Ala Wai Golf Course, and (later to) Kaimukī (Epiphany Episcopal Church), where the business district is now (in Kaimukī).

WN: And ethnically, what was your neighborhood like?

WR: Oh, Chinese, Portuguese, Hawaiians, *Haoles*, pretty much divided. I think back, Bob [Robert L.] Stevenson, now, here we go for the names, Bob Stevenson, for example, lived about five houses away. Bob [Robert H.] Evans lived about seven houses away. Andersons next door. The Perreiras down the way, the Medeiroses, the Abbeys, Kaeos, these are all old names that you can tell from the names that they're Hawaiians, they're Chinese, they're Japanese, (*Haoles*, Koreans, et cetera).

WN: Local names. (Chuckles)

WR: All the local names, the Kiras (lived) behind, and all that.

DT: And this Bob Stevenson you mentioned, I guess Robert Louis Stevenson, was it, that later became the . . .

WR: That's right, Bob [Robert L.] Stevenson who became the (adjutant) general (of Hawai'i) . . .

DT: [State] adjutant general.

WR: Adjutant general in our first, in Governor Burns's first administration [1962-66]. In fact I, this is funny because the governor didn't know him too well, but had heard of him because of what he had done in the South Pacific [during World War II]. And he called me, oh, I think the day before we took office in '62. And he said, "You know Bob Stevenson?"

"Yeah, I know him, one of my neighbors."

"Do you think he'd want to head that department?"

I said, "I don't know. You gotta ask him."

"Well, I don't know him, but can you find him?"

(Chuckles) "Okay. I'll go out. Give me a couple of hours, I'll find Bob and talk to him." He agreed to be the adjutant general.

DT: At the University of Hawai'i, you were pretty much of a contemporary of Spark [M.] Matsunaga, I believe. You were together.

WR: He and I were classmates (at UH). Sparky, Dan [Daniel T.] Aoki, (Sakae Takahashi), some of these names that. . . . Walter [G.] Chuck, (Bob Evans, Douglas Logan, Alfred Apaka).

DT: Oh, Walter Chuck, yeah. Republican name. (Chuckles)

WR: Yeah.

DT: (Chuckles) I guess he still is.

WR: Oh, David [T.] Peitsch.

DT: Real estate man.

WR: Real estate man. Bob [Robert H.] Evans, insurance . . . .

DT: At the university, what did you major in? Government?

WR: I was in business and economics.

DT: Business and economics.

WR: Yeah.

DT: Did you pass across with Paul [S.] Bachman [University of Hawai'i president, 1955-57], for example?

WR: Yeah, Paul Bachman taught me history, History 100, and I think political science in later years. But originally, he taught me History 100.

DT: K. C. Liebrecht, I guess was probably around.

WR: Liebrecht, yeah. K. C. Liebrecht was there.

DT: And in business, you remember who you chatted with on campus?

(Chuckles)

WR: Graham, who was the accounting teacher, and K. J. Luke.

DT: Yeah, okay, in business.

WR: That's the Hawai'i National Bank CEO [chief executive officer], he was teaching then. And the Bilgers in . . .

DT: Chemistry.

WR: . . . in chemistry, both Bilgers [Earl M. Bilger and Leonora N. Bilger]. In fact, that's how I got to the University of Cincinnati. They had come from Cincinnati.

DT: Oh, this, I was going to ask.

WR: Yeah. They had come from Cincinnati. Mrs. Bilger, oh, she sort of directed me there, and directed me into law, to tell you the truth.

DT: Must have been terribly disappointing to them to have you end up in the Democratic party, though, wasn't it? (Laughs)

WR: Well, I don't know. She never mentioned it.

DT: Really?

DT: Because I recall they were very close to the Castles, right?

WR: Yeah.

DT: And that wasn't exactly the center of "capital D" Democracy.

WR: The one that openly said he was disappointed that I joined the Democratic party was Neal [S.] Blaisdell, who was my football coach at Roosevelt (and great friend. He later became mayor of Honolulu).

DT: (Chuckles) Well, okay.

WR: He said, "The only thing I did wrong with you was that you became a Democrat. I don't know how that happened." (Chuckles)

WN: Were you involved with student government at all at Roosevelt and at university?

WR: Ah, not very much. I was, in the university, some, I forget what. I had one of the Episcopal clubs, and senior year was some sort of senior senate, I guess they called it then, something in the ASUH [Associated Students of the University of Hawai'i]. Not that much.

DT: You mentioned Episcopal church. Even that might be interesting. How did you end up as Episcopalian? Most people in your background probably end up in what would be called UCC [United Church of Christ], you know.

WR: Well, my father's family, they were all Episcopalians. And the girls (his sisters) went to [St. Andrews] Priory. My mother was a Congregationalist. And she would have us go to church twice a day because we had to go to both (the Episcopal and Congregational churches) for several years. But, we ended up Episcopalians, and stayed with it. I did a lot of work with the little church in Kaimukī (Epiphany Episcopal Church). I was their senior warden for about twenty-seven, twenty-eight years.

DT: So you went to Cincinnati, which was quite a jump from Hawai'i in those days, to Cincinnati, Ohio.

WR: Oh yeah. I went by steamship and by railroad.

DT: And the Bilgers, really, that's an interesting story that the Bilgers got you back to Cincinnati.

WR: That's why I'm now a Cincinnati Reds fan. (DT chuckles.) Bengal fan. (Chuckles) But Cincinnati had good teams those days. And still do. They had a good manager, too.

(Laughter)

WN: Were there other choices besides Cincinnati for you for law school?

WR: Not that many. I just didn't think that much about law school. In fact, I sort of had to make application. I wasn't that interested in going to law school.

WN: You were told by who?

WR: Well, the family felt that it would be great if one member would become a lawyer. My grandfather had been a lawyer, my father was not, and he must have had this in mind all the time. And the family conference came over, like politics, trying to talk you into being a lawyer. And I wasn't that interested, but I did make application. I don't know whether I applied to more than one or two law schools, and didn't think about it anymore. They didn't have the LSATs to take and all that. You just applied, and (they would) write you back and (ask) if you (were serious about seeking a law degree. If you were, then they would invite you to attend). (Chuckles)

DT: But you adjusted pretty well, I guess, to life in Cincinnati, in spite—it gets cold occasionally there, anyway.

WR: I guess so, you know, going away to the Mainland was a difficult (undertaking). And then thinking that (my) family would have to be (making quite a sacrifice) to send (me) to school while the other five should have the opportunities instead of concentrating on one. But as it worked out, I went to law school.

WN: Did you have any personal plans as to what you wanted to be?

WR: Oh, I don't know. I just wanted to just get along, I guess. The (military) draft (was) on us then, you know. And every time you did anything, well, what's your draft status, you know.

DT: Well, at least they let you finish up school.

WR: (Yes, I finished in two years.)

DT: I guess, in Cincinnati, but then you went in as an attorney with the army, right?

WR: (No, I went to army infantry school at Ft. Benning, Georgia.)

DT: So it went round the clock, probably.

WR: Yeah.

DT: Summers.

WR: Yeah, through summers. Full summers. There were full semesters during the summer, so, you get by in two years.

WN: So you never had an opportunity to take an advantage of the G.I. Bill, then?

WR: No.

WN: Unlike people like Dan [Daniel K.] Inouye.

WR: No, and, see, that's where, I guess, you would say my timing was good or bad. Good, I guess. Because after I got out [of the U.S. Army], and the rest of them got out at the same time, they still had their schools to go to. They still had to go back to school. Dan Inouye, and Sakae Takahashi. He too, was a classmate. They all had to go to law school from then.

They had gone through undergraduate school as teachers, but I was ready to practice, so as soon as I got out in '46, I put up my shingle and started practicing. They were still in school.

DT: You went into private practice for yourself then, rather than with anybody else? No big law firm or anything?

WR: No, I didn't want to do that, or maybe the opportunities weren't there, I can't say for sure, but I do know that we were very short of lawyers here. The prosecutor's office, the city attorney's office, the attorney general's office just hounded me, and the more they hounded me, the more I felt, well, I might as well do this on my own and try it out.

DT: Yeah, that was a bit unusual (today) because many people went into the prosecutor's office, who had just gotten out of law school, but we'll have to go into that after we've changed tapes.

(Taping stops, then resumes.)

JC: The following is videotape number two with William Richardson.

WN: Tape number two with Mr. Chief Justice Richardson. We were just talking off camera about some experiences of prejudice and discrimination on the Mainland, and you being—you're part Chinese, part Hawaiian with a *Haole* last name, how did you deal with that kind of a situation?

WR: Well, in some cases, they put us in the category of Black, and in other cases, they put us in the category of Mexican. Depending on what part of the country you're in, you'd get some of the prejudices upon you, but what was heartening was to know that there were many people that didn't like that, even at that time. And I think they became our good friends. Those who felt for equality. And we used that a lot during the statehood campaigns, too, you know, we found a lot of friends. Among the U.S. senators, too.

WN: There are also some enemies, I would imagine during the statehood campaign.

WR: Yes. Yes, I can remember some of them. I attended a lot of the hearings for statehood and testified in many cases (in Washington, D.C. and Hawai'i). And they openly said that we don't want you. (Chuckles)

DT: There was an interesting transformation. You didn't have too much of a problem in the Northern tier of states back in the [19]40s, but you did have problems in the Southern states. But then, within a period of ten years, and as you go back to say, coming up to statehood times, with many of the Blacks moving north, you found out that the Northern people, the Northern Whites really were reacting like the Southern Whites had reacted ten, fifteen years before.

WR: Oh, they were worse up in the north.

DT: All right, you've said it. (Chuckles)

WR: They were tougher on the Blacks than in the South.

DT: With a curious phenomenon, I felt a curious statement on human nature, because I've found as much hardness of heart, let's say in the early [19]50s in the city of Chicago as one would have found, say in Memphis, Tennessee back in the [19]30s and [19]40s.

WR: Well, you know, I would talk to my son who had—I did have one semester down at Duke. And then he went to law school at Duke. And he couldn't believe what I was telling him about the differences from the time I went there and he went there. The country has changed.

DT: Remarkable transition.

WR: Remarkable. For the good, I would say.

DT: All right. You got out of the army, back into private practice, and you were a bit unusual inasmuch as you didn't immediately seek employment in the prosecutor's office, let's say, in the City and County [of Honolulu]. You stuck with private practice, and hung out your own shingle.

WR: Right.

DT: How did it—was it pretty rough to start again?

WR: Right, I had an uncle came up to me and he said, "Now that you've decided you're going to go into private practice, may I get the shingle made for you?" And this, apparently, is a way a lot of people started. Some relative would say, well, it cost ten bucks to make this shingle, so I'm taking you down and get the shingle, and have your name on it, and it was a rush to be the one that pays for the shingle. I put one out down at Merchant and Nu'uanu Avenue and stuck it down below, under a lot of other names of real estate agents and loan companies and all that. You didn't have the fancy ones you have today, but you actually got a shingle with two hooks on it, and you hooked it on to a bunch and then the next person that wanted to start practicing law or anything like that, he would have a hook and he'd hook on to yours.

DT: And this was really in the heart of Honolulu, right?

WR: Right, right. I think it [1946] was a good time to start. People were beginning to come here from the Mainland, and practice—maybe the big businesses had been locked in with the big law firms. But even the big law firms didn't have more than seven or eight attorneys. So with new businesses coming in, you could survive very well and grow up with the small businesses. And I did a lot of the small banks. I did work for them. The cold storage companies would come in, and I'd be their attorney in Hawai'i. The plumbing companies that were started by our local people, they would come to me before they went to the others. So, I could survive pretty well.

WN: Did you work with your father at all?

WR: A little bit. Both before I got out of school and after, he was a bill collector and a real estate salesman. And by bill collector, I mean he had about twenty people, just collecting bills. And it was his. Did everything from collecting the bills, sending out the bills, chasing down the business.

DT: Which in essence was a collection agency.

WR: It was a collection agency. And then he was on commission, and I would be on commission, too. You'd get 20 percent, give us half of that, half of his 20 percent would be my commission.

DT: And then you started having breakfast with some political types, did you not, somewhere in the late [19]40s?

WR: Yeah, my father had been a Democrat, but you know, you didn't dare tell anybody you were a Democrat. (DT chuckles.) In fact, my wife's family, rock-ribbed Republicans at first (chuckles) , she had to go around explaining and apologizing for the actions of her husband who was a Democrat. And it really didn't mean that much because the Democrats had nothing anyway. There was no Democratic party to speak of.

DT: But who did you have at these sessions with Jack, it was somebody like Matsy [Matsuo Takabuki], I believe?

WR: Well, Jack [John A.] Burns, when I first met him, he was a stone-faced guy. In fact, I had heard about him. I (was walking) across Bethel Street (one day), and I said, "Hello, Mr. Burns." And he walked right by me. And I said (to myself), well, brother, that's the last time I'm going to say hello to you. But (when) he got to the other side of the street, and I, at the same time, I got to the other side. He turned around and he said, "Mr. Richardson."

I said, "Yeah."

"Can I talk to you?"

And that is when—this must have been around '48, he invited me to come down to his little basement room in city hall. He was, at that time, the [O'ahu] Civil Defense director. And when I got down there, at the appointed time, that's when I met (some) others, those that (returned from school like) Dan Aoki, Sakae Takahashi.

DT: Matsy [Matsuo Takabuki], I guess.

WR: Matsy. Dan Inouye was still in school.

DT: Mike Tokunaga, I believe.

WR: (Yes), Mike Tokunaga. (Dr. Ernest I. Murai.)

WN: Was Jack Kawano part of that group?

WR: No, he was not in that group. Jack Kawano was, we would say, they were in the fringes. There (was) Bill [William T.] Hiraoka.

DT: The Democratic party had a lot of trouble with so-called communists of the day, because this was happening on the Mainland, of course, and it ultimately split the party here locally. Did that affect you or were you that tied up with the party then?

WR: That's what split the party some. I was so new, at that time, I didn't know exactly what happened, but I do remember Rice from Kaua'i. I think (a Democratic) convention started in the morning, and by noontime, I (saw) Charlie [Charles] Rice, I think it was, or his brother, [William] saying, "I can't stand this any longer. I'm leaving." And then it was a question who was going to follow him out, you know. And a number of them followed him out. But it was a minority. And we carried on then, and I got my first schooling on what politics was like. And they took on the hard problems of the day, and pounded out a program that I thought became the program for the next twenty-five, thirty years.

DT: Yeah, well this came about in '52, I believe, when you patched the party, and at that time, I believe you became an official of the party, did you not?

WR: Well, . . .

DT: Secretary or . . .

WR: I can't even remember when that started, but around '48 or '50, I became the secretary and stayed as a secretary for four years, and then I became party chairman for six of those years, and when we became a state [in 1959], I was the party chairman at that time.

DT: Now, you were chairman [of the Democratic Central Committee] in '56 to '62.

WR: Right.

DT: But in this earlier period, when they were getting together, you were the secretary. I don't know whether you would agree with me or not, but the '52 platform and '54 platform, I largely credit to Bob [Robert G.] Dodge, who, was . . .

WR: Right.

DT: . . . often forgotten these days, but I think he's really one of the big heroes of the Democratic party in my book.

WR: You are correct. Bob Dodge was terrific with the pen. I leaned on him a lot for drafting platforms, bills. I became [chief] clerk of the [territorial] senate the first time we won [i.e., Democrats took control], in '55, and Bob was the chief attorney. And I leaned on him a lot for drafting.

DT: And he was especially strong, as I recall, as a constitutional attorney.

WR: That's right.

DT: In terms of governmental structures, because of his experience at the University of Denver, that sort of things.

WR: Correct. Bob Dodge made a great contribution to the Democratic party and its platforms.

DT: Did you realize as you went from '52 to '54, did you have any real notion that you were going to have a great victory, such as you had in '54?

WR: Well, we knew it was coming sooner or later. We didn't know it was going to come that (soon), you know, that such a great (voting) majority would come all of a sudden. You know, we were fighting it out just to get more Democrats. And all of a sudden, everybody wanted to run and seemed to win. But it was a coming together of the 442 [i.e., 442nd Regimental Combat Team] boys that now had returned from law school. And the hard work of Burns, I would say, in picking them, virtually when they got off the boat to join the (makers of the) Democratic party and start working for it.

DT: Now, all of a sudden, you had a lot of legal colleagues, and many of them decided to run for office.

WR: And strangely, if you recall, Dan, Burns was the [O'ahu] Civil Defense director. And when we divided up the city, we divided it up, and all the heads, all those who became officeholders later, were heading each district. For example, we had two [senatorial] districts then, the fourth and the fifth. Dan Inouye was head of the fourth district. So that included everybody from Nu'uanu Street, out to Hawai'i Kai. And we were supposed to find out who the people were, and organize it that way for defense purposes. And I was then in charge of Mānoa (and Kaimukī), and he [Inouye] was in charge of the whole fourth district. And Mike Tokunaga, whom you mentioned, was another one. Sakae Takahashi another one. And that was the basic organization in the beginning, and it became—the precincts were built up that way, too.

DT: Actually, Sakae had become something of a celebrity because he (had) been appointed to the cabinet by Governor [Oren E.] Long, I believe, as a first AJA [American of Japanese Ancestry] cabinetholder.

WR: Yeah, he became treasurer.

DT: Matsy Takabuki had also gotten elected to the council [i.e., Honolulu City ad County Board of Supervisors] in '52.

WR: Right.

DT: So you had a few, sort of new hero figures, at least to your generation figures in office.

WR: Well, Sparky began to, he had a flare for politics even from when he was in college.

DT: Yeah, well, he ran for the first time in '54, for the house.

WR: Yeah.

DT: Do you remember any other things about that '54 campaign?

WR: Well, I remember when I became the [chief clerk, territorial] senate, if you recall that, I had never been inside the legislative halls. Never. And they handed this to me, and they said, "Well, you're going to have to set up opening day."

DT: You're kidding.

WR: Yeah, I've never been inside. (DT laughs.) "Okay, I'll do it. Give me the old journals." And set up the agenda for opening day. And this was in the old, in the ['Iolani] Palace. And we had no help to speak of because the Republicans had only Republican secretaries and clerks and all that. We didn't have any. But we weren't going to let that stand in the way. We were going to put in all Democrats. So we said, "We may not know what to do, but we still, we're going to do it ourselves." (Chuckles) And we did. And that's where it came out.

DT: Now you took over as clerk from a long-time clerk. What was her name?

WR: Oh, yeah.

DT: She was a quite a fixture, real nice efficient lady. I want to say it started with an S.

WR: Smyth.

DT: Smyth, Smyth.

WR: Right.

DT: Mabel Smyth. No.

WR: No, it wasn't Mabel Smyth.

DT: Elizabeth. Anyway, Smyth. Yeah. Ellen, maybe. [Ellen Smyth.]

WR: Well, I don't know anything about this, but . . .

DT: You filled out her books (chuckles).

WR: Yeah, I just took everything over and see what (the clerk's duties were) and how (things were done). And we didn't have a Xerox machine like we do today.

DT: Oh, that's right, you didn't.

WR: In fact, I saw (an ad about it) in a magazine.

DT: But you did have some interesting Democratic senators such as Herb [Herbert K. H.] Lee, and you might want to continue on with them.

WR: And William H. Heen had been in for a long time. Herbert Lee, and gosh, I—they had fifteen senators those days, and after we won, there were only three Republicans and twelve Democrats. And almost all twelve didn't know exactly what's going on, but we knew what we wanted to do. And how we were going to do it, we weren't exactly sure. And I think that session ran about, what, about ninety days overtime, something like that.

DT: Well, you did a lot of things and accomplished a lot. But as I recall, and you may want to think about this, you ran into a lot of trouble upstairs in the palace.

WR: Oh, yeah.

DT: And let's talk about that as soon as we've changed tapes, if we may.

WR: Okay. Yeah, I got to think about that.

END OF SIDE ONE

SIDE TWO

JC: The following is videotape number three with William Richardson.

DT: Okay, Mr. Chief Justice, you as a politician really, and [chief] clerk of the territorial senate [for the 1955 legislative session], you ran into a lot of trouble with the person upstairs that I mentioned. Do you remember that?

WR: Yeah, at that time, I think it was Governor [Samuel W.] King, and he said this was going to be a one-shot deal. I'll veto most of the bills and the next time, see what happens.

DT: The Republicans will be back.

WR: Yeah. (DT laughs.) So, unfortunately for them I guess, we came back. The Democrats came back again, this time in even greater numbers and could override anything that he wanted to veto.

DT: Well actually, things had happened back in [Washington,] D.C., and he was an appointee, so he was replaced [in August, 1957] by Bill [William F.] Quinn, I think.

WR: That's right.

DT: So you served two sessions, right? You went through two biennial sessions with the . . .

WR: Yeah, '55, '57.

WN: I want to back up just a little bit to '48. You were just getting started, you were going out to the communities, to the precincts to recruit and so forth. How did---can you describe that a little bit, what . . .

WR: Well, if you tried to go on the sugar plantation at that time, you either couldn't or if the labor unions had gotten it into their contracts that they could have a stop work order or before work started, they'd give you a half hour or one hour for all the Democrats to come in one day. And we could go on the premises and do whatever politicking we wanted, about six-thirty in the morning. That was the only way the Democrats could get in there.

WN: And you were young, right out of law school, you were also Hawaiian, whereas a lot of these other young men were more or less Japanese.

WR: Yeah.

WN: Did Burns come out directly to you and say, well, you know, we want you to talk to the Hawaiian people?

WR: Yeah. He wanted me to recruit Hawaiians into the party. That, I think that was his main assignment, to me, get the Hawaiians interested in the party and make them Democrats. How successful I was, I don't know.

DT: Well, historically, Hawaiians and part-Hawaiians had been, tended to be Republicans, right?

WR: Yes.

DT: But you did have some other colleagues who were Hawaiian in the party.

WR: Oh, yeah.

DT: I think I remember Bill Amona.

WR: Bill [William] Amona. The Trasks [Arthur K. Trask and David K. Trask, Jr.]. (The Heens.)

DT: Okay. Somewhat younger person, I think, T. C. Yim was coming along.

WR: Yes, yes.

DT: During your period.

WR: Can't remember the old names, now.

WN: What about in terms of Hawaiian lawyers, at that time, coming out of law school?

WR: Well, a handful. The Dwights [Charles Bishop Dwight], (Arthur K.) Trask, Ernie [Ernest K.] Kai, (Walter M. Heen), no more than a handful.

WN: And did all of these people, were they encouraged to get into politics?

WR: They were in it. They were in it, yes.

DT: I think John Akau would be another one of your grassroots organizers for the party, of Hawaiian extraction, right?

WR: Right.

DT: He lived right here in this area.

WR: And you get down to the judges, and that was one thing that really motivated us to go for statehood because we didn't have any judges, you know. And it was hard for a young lawyer, who had been through the war, to come back and take a second-class position in a trial, knowing that the judge wasn't catering to you, he was catering to some secretary in the interior department, because the Secretary of Interior would do the appointing of the judges. And you never thought you had a fair shake as a lawyer. And I couldn't see going my whole

life as a second-class lawyer, and getting judgments that I didn't think were fair.

DT: Well, the thing that brought you into closer context with the statehood campaign, was the fact that had a big flap, as I remember, in '56 about Jack Burns being an elected official and party chairman, and so the mantle passed to you to become party chairman, is that not correct?

WR: Right.

DT: I think Jack sort of stepped aside, and you became party chairman. And that brought you into a position where you could, among others, be a spokesman for statehood.

WR: Right. And of course, he held office in Washington [as delegate to Congress], and he couldn't be the party chairman here, so I merely stepped up. I worked a lot with him on statehood, stayed with him in Washington. Spent weeks there.

DT: And I think you tried to open a [Democratic] party office, did you not?

WR: Yes, instead of running the office out of my hip pocket, we did have a secretary, part-time, or something like that.

DT: And then you had people like yours truly who was giving you a hard time, you should have a better organized party, right? (Chuckles)

WR: Right, and have a few bucks in there, too. There were a few people that came across, some of the old names, [H.] Tucker Gratz.

DT: Right.

WR: See, some of them were appointees of the Democratic presidents who were of no help to us except for a few of them. Tucker was one, he was [U.S.] collector of customs, then.

DT: And you got people such as Watters [O.] Martin, and Dolores [F.] Martin, of course.

WR: She was old-line, old-line Democrat.

DT: Speaking of Hawaiians . . .

WR: From Maui.

DT: . . . around, why, Dolores was . . .

WR: Yes, Dolores was.

DT: . . . there, and her sister, Anna Kahanamoku.

WR: Yes.

DT: As I recall, once we got statehood, things really started picking up, and in '60, you went to a national convention, right, as party chairman.

WR: Yeah, I went in '56 and '60.

DT: Oh you went to—okay. You were in Chicago, then, at the convention . . .

WR: Yeah, I was in Chicago. And then in '60, the [John F.] Kennedy one. Of course, the Kennedy one was one of the very interesting ones for me.

DT: You may have had other things you wanted to say about statehood, because you did spend some time there and went off to . . .

WR: Well, yeah, I spent a lot of time on statehood. I was very strongly for statehood. I spent just about everything I had to get statehood. And probably motivated mostly because I felt that the judges should be appointed or elected by the people here. And of course, the taxes. You remember the taxes we had that we had to pay for the highway. The highway taxes were distributed among the states, and Hawai'i didn't get anything. We got the tax, all right, but we didn't get any part of the distribution.

WN: What was your role in John Burns' campaign for delegate [to Congress]?

WR: I think I was co-chairman. I don't remember for sure. I think I was co-chairman. I think it was with Patsy Mink, I'm not sure. One of 'em, I was.

WN: Well, he ran in '54 [and lost, to Elizabeth Farrington] and he ran again in '56. Do you remember any differences between the two campaigns? (Pause) One he won . . .

WR: One he won and one he lost.

DT: Yeah.

WR: I know I was on one of them that he lost, too. The governorship [in 1959] . . .

DT: Well, in '54 . . . Well, the governorship, yeah. I think in '54, his principal campaigners were people that mainly who were also campaigning for [Mayor] Johnny Wilson.

WR: Yes. We were Wilson people.

DT: But my guess is it was the '56, probably, campaign when you and Patsy were co-chair, which is the one he won, and then of course, he kept on winning, except for '59.

WR: Yeah.

WN: You got married in 1947. How did you meet your wife [Amy Corinne Ching Richardson]?

WR: Well, she had been to college with me, and I didn't know her then, but she lived about three blocks away, all her life. So, we were neighbors, in that regard. She knew my sisters, and they had only girls in that family, so I never associated with them at all. But when I came back from military service, I'll quote her, she said, "I was the only old maid in Kaimukī, so, that's why you got me." That was her explanation there. But, I thought she was a great lady, and she was teaching school then at Farrington [High School].

WN: Was her family involved in politics at all?

WR: No, her father was a banker with a Republican bank, not doing very much in politics. Very closely-knit family.

WN: Now you got married in '47, and then, well, '48 was when you started to get really involved in some of Burns' coffee . . .

WR: Well, she switched over to the Democratic party. She was good to have around. She knew her way around pretty well. She's a pretty sharp gal. She wrote well.

DT: Well, I remember Amy very well, and I'll interpose here. (Speaks to WN) She was not only a very fine lady, but she's also a very lovely lady, too. And we had a very gracious hostess, and I know when he became party chairman and went to state and national conventions, for example.

WR: Yeah. It was good to have her.

DT: But by '62, Burns was hoping to get elected governor, and one might have thought that you might have run for, let's say, the legislature, or something like that, but I believe the first time out of the rack, you really ran for lieutenant governor, right?

WR: Yes.

DT: Ran for elective office.

WR: I think there was still an intra-party problem that was still prevalent. And the ILWU [International Longshoremen's & Warehousemen's Union] had decided, at that time, that there should be a Hawaiian run. They felt that the first time they lost [in 1959] was because they didn't have a Hawaiian, and people weren't ready for the Japanese. And [Mitsuyuki] Kido had run [for lieutenant governor] the first time [in 1959]. So the second time [in 1962], they had determined that they should have a Hawaiian. And I think the ILWU felt that Ernie Kai was to be the one that they would back, which they did. And somehow, I got into it. And then I guess, the newly signed-up Democrats preferred a younger one. I guess that's the only explanation I can give.

DT: Well, I had a notion that maybe there were some arm twisting on there. Who specifically sort of twisted your arm to get you to run because . . .

WR: Well, you mentioned Dan Aoki and Mike Tokunaga, Bill Hiraoka, Sakae Takahashi. My classmates in college were there to say, well, if that's a conclusion that they should have a Hawaiian, why not you? And they helped a lot . . .

DT: So you weren't exactly the first choice of the union now, were you?

WR: No, no, no.

DT: I mean, to be perfectly blunt (chuckles).

WR: No, no, no, I know I was not first choice. Last choice. Not a choice.

(Laughter)

WR: Because the neighbor islands, you know, they were strong there on the plantations. They just voted solidly for Ernie Kai [in the 1962 Democratic primary election for lieutenant governor], I was just lucky to come out with a few votes. But I was still a Honolulu boy, and I was still Kaimukī, and they knew me there. And I worked hard there. One precinct, this was a St. Patrick precinct that included all of Kaimukī, a growing area, that precinct alone took care of all the leads that Ernie had gotten, and all the neighbor islands, and in the fifth district. Just wiped them out. One precinct alone.

DT: And I get the impression, I may have been wrong, you can correct me right here, I think Jack Burns wanted you, didn't he?

WR: Well, he never said, he never interfered in that kind of a thing. I think it would have been dangerous for him to come out and say, well, ILWU, you know, thanks for the votes, but I want this other guy, not your man. It would have been a tough deal for him to do it. He never said so.

DT: Yeah, publicly no, but privately . . .

WR: He wouldn't say so, but he and I, of course, were very close friends, and I wouldn't have run for office were it not for the fact that I thought I could help him.

DT: And there were some other competitors, I guess, beyond you and Ernie Kai, right?

WR: Oh, yes. There were a number of them. [Kai and Richardson were the two major candidates.] I was talking about a cartoon that was put out by [*Honolulu Advertiser* editorial cartoonist] Harry Lyons, and he had at least seven people in track suits, running on the track, and at the finish line was the lieutenant governor's position. This was in the primary.

WN: Well, Ernie Kai was the ILWU-backed candidate.

WR: Yes.

WN: And people like [Nadao] "Najo" Yoshinaga, who was an ILWU man on Maui, who later . . .

WR: Oh yes. He [Yoshinaga] was very much for him [Kai]. In fact, he [Yoshinaga] called me to tell me to get out [of the race]. And I said, "Najo, you stay there in Maui. I've decided I'm going to run in this, and that's the way it's going to be." So he and his brothers, and the rest of them stayed on that side of the street. Beat me in Maui, but I took the rest of the state.

WN: So you knew privately that you had the backing of Burns? Prior to the primary.

WR: Well, yeah. I would think so. Burns was who's going to remain a friend. But whether he was going to back me politically or not, he never said. But after we got in, the way he helped me out, he couldn't help but want to have me. I know that.

DT: Yeah, you were state chairman, too, I mean, after all . . .

WR: Yeah, and he did everything he could at that. . . . In fact, there was a lot of talk against my running against Burns when I was lieutenant governor. But I told everybody I would never run against him, and that's all there was to it. And so the Republicans, I think, put that kind of information out, and thought that I was just talking. But I did mean it. He was too good to me to, I mean, he was building me up, you know. And that's all there was to it. I couldn't do all those things without him.

WN: Did you feel qualified at the time, to be lieutenant governor? Did you feel qualified?

WR: Oh, I guess I was cocky enough to think that, yes.

DT: Well, this illustrates a part of the very adroit—I guess for a lack of a better term—balancing act, that sort of consummate politician Jack Burns played with the ILWU and with other people. And in terms of precinct groups, and Bill can correct me here, Jack was not one who could beat the bushes, whereas Dan Aoki or Mike Tokunaga were illustrative of those who were actually going out to the highways and byways. But Jack was not strong in the sense of going out, and going door to door and house to house, that sort of thing.

WR: Well, those days, house to house was in. That was hard work, and I was young enough, I guess, and strong enough to beat the bushes. I don't know of anybody who hit more houses than I did. I went to more bowling alleys, and . . .

DT: All right, well, we've got to change tapes, but we'll go on from here because other things were ahead for you.

(Taping stops, then resumes.)

JC: The following is videotape number four with William Richardson. Okay, anytime.

WN: Tape four with Mr. William S. Richardson. Judge Richardson, you know we were talking about that '62 campaign, and the fact that you were a Hawaiian candidate, and the opposition [also] had a Hawaiian lieutenant governor candidate, Calvin [C.] McGregor. Do you remember some of the issues that were discussed in that '62 campaign? Did the Hawaiian issue at all come up?

WR: No, the Hawaiian issue did not come up. I guess we were both pretty much armed with the same type of campaign. I was very much for the Hawaiian Homes Commission Act, and I was trying to get it going. I thought it was falling pretty far behind. I was very much for the ceded lands, as far as the Hawaiians were concerned, because I felt that the ceded lands that were no longer to be used by the federal government should come back to Hawai'i. I testified on, when the statehood bill was going through, on what should happen to the federal ceded lands. I thought that those lands were supposed to come back to the state of Hawai'i. And the formula that we had had, that was written in the first bill, was that all lands that was not usable or was to be declared surplus by the United States should return to the state of Hawai'i, and the cost should be just the cost for the improvements, and we should get it back without having to pay for it. And I think we're living with that today. But anyway, that was one of things that was truly Hawaiian. Otherwise, the usual type of trying to preserve the

Hawaiianness of Hawai'i, I think we worked together on that.

Calvin, at that time, you know, you didn't run as a team, necessarily. I mean, we could have had a Republican lieutenant governor and a Democratic governor or vice versa. And so it was partly a matter of personality, and partly on whether you would want to work with the governor. And I did say I wouldn't be that happy about working with a Republican governor, that my real purpose was to be the right arm of a Democratic governor, which was Burns, at the time. That's about the way it went, as I recall.

WN: In '59, Burns went with a Japanese candidate for lieutenant governor.

WR: Yeah, he went with [Mitsuyuki] Kido, and he made that selection himself, and the Republicans went with [James K.] Kealoha. And it was general knowledge that that was why he [Burns] lost. And that's why they [Democrats] were so set on getting a Hawaiian lieutenant governor. Both the Republicans and Democrats, I think, had concluded that that was the way to go.

WN: Let's talk a little bit about campaigning. You were telling us a little bit about going to bowling alleys and so forth. What was campaigning like?

WR: Well, I really worked on that because I didn't have any money. And I know I shook 2,500 per day, because I took out 500 packs of cards that had a little bit of my background on it, and I shook at least 2,500 hands so at the end of the day, or at the end of the campaign, I was black and blue all the way up to my elbow on my right hand. I visited all the bowling alleys, all of the shopping centers throughout the state. And in the bowling alleys, I was telling you it's amusing in that the bowlers bowled once a week, and they bowled between certain hours on the night that they did bowl, so I'd hit the bowling alleys. I knew that if I had hit the six o'clock to the eight o'clock group on a Monday night, and I wouldn't have to go back again. So, I do as many as I could one night, and I'd do the eight to ten, say, and I could check them off for the Monday nights. And then on Tuesday nights, I'd come back again, and do the eight o'clock and the ten o'clock unless I had done it once before. But there must have been hundreds of bowlers, maybe thousands of them that I met, and their families.

WN: Did you go alone?

WR: Oh, no. I had a good group of people that took me around. They would call ahead of time and say, "I'm going to have this guy come in," and they'd give us permission to come. And that was so also with the shopping centers, and even in the business houses. I'd have somebody call ahead and make a, first, an appointment, and then call ahead to say that we're going to be there at a certain hour. And of course, street corners and everything. You had to do it. You didn't have the money or the name was not known. That's why you had to do it.

WN: Did you do any door-to-door campaigning on the neighbor islands?

WR: All over the state. Every day, all day long, from five o'clock in the morning to ten at night. Every day. It paid off. That's the only way I could have gotten in. There was no—I didn't have the advertising money nor was the name known.

DT: Well, you were able to use a little bit of TV, I think, by this time. Jack brought in a

gentleman from the West Coast to help, he was a public relations man.

WR: Right.

WN: Did Amy work on the campaign at all, too?

WR: Yeah, she did all kinds of things. Mostly, she had to do the cooking. When the campaign workers came in, she would have that ready. Then we had the children, too, that she had to care for. And that was part of the deal, that she would continue to care for the children. In fact, that's a funny thing, the night I did win. My little—I forget how old my (son Billy) was then, but he was just a little, little kid. Before I went out (on election night), he said, "Dad, you tell me if you win," you know, "and if you don't, that's okay."

And so, I woke him up and I said, "Billy, we won."

He said, "What was the score, Dad?"

(Laughter)

WR: And the primary, I can remember Dan [Tuttle] (going) off the air. I think he started about nine at night, and went on to about two o'clock [A.M.], and at two o'clock, there were still a few more votes—this is the primary, now, there were still a few more votes, precincts, to be heard from. And I could hear Dan saying, "Well, Richardson's a little bit ahead, now, and if everything goes the same way, he will win by a few votes. But, you'll have to wait till morning." And that's the last I heard, then. And then, I had to go out to those precincts that hadn't been reported, and try to total that up.

DT: Well, your big battle was in the primary.

WR: In the primary.

DT: The general was not that . . .

WR: The general was, for some reason, we had taken Quinn. And Quinn had been so strong in the primary, they had—it was a tough campaign all the way around. And he had beaten Burns [in 1959], and Burns was at his height, too, because he had brought statehood back.

DT: I've never been so sure, but it was all the things that you had done, but Jimmy Kealoha didn't help Quinn any. (Chuckles)

WR: Yes, yes. And Jimmy Kealoha had run against Quinn [in the 1962 gubernatorial primary], which I'm sure took him down some.

DT: At any rate, as I recall, you seemed to thoroughly enjoy your tenure as lieutenant governor.

WR: Oh, yeah, I enjoyed it, and I liked the way Burns treated me. He let me do what I wanted to do. He gave me the assignments that I wanted. He had me working on new things that were coming out of the federal government and continuing to organize. And he knew I didn't want to be governor. Not running against him, anyway. And I don't think I would have run

anyway. (Chuckles) Certainly, not against him.

DT: It appears, I recall, you had great tranquility with Jack, Governor Burns.

WR: Well . . .

DT: But then he sort of traded you, he sort of traded that good life away for himself, didn't he?

WR: Well, maybe. I tell you, it [relationship] was so close that I wouldn't leave the state if he had. And that's why one campaign, he went to the Democratic [National Convention], I stayed home. I made it a point always to stay home when he was gone. I didn't even have an overcoat the first time I got in. So, I went down and met the airplane, and he took his coat off and gave it to me. And I put it on, and took the next—the same plane back to the Mainland to go do something else that I wanted to do. It was pretty close. I lived in his house, when he went off to the Mainland, I moved into Washington Place.

DT: Washington Place, uh huh.

WR: With my family. I'd go down with him [from] the airplane, and that's when we did most of our work, right in the car. The two of us would be talking to each other. And in fact one day, I got down to the airplane, the car had driven us up there, and there was a bunch of reporters that wanted some information. I forgot what the hot problem was at that time. And he [Burns] got up to the gangplank, and as soon as he got off, as soon as he got on the first stair, he said to them, "What you didn't get, you gotta get from him back there (pointing at me), now. Go ahead." And they came over, and that was the end of it.

I thought the transition was good. I knew exactly what he thought, I knew the things that were to be done that he didn't have a chance to complete. In fact, I used his own glasses because he would take the glasses off, and run off to the car, and I'd go out with him. When I came back, I would get on his desk and leave my own, as a matter of fact. And then start doing what he did not complete. Of course, I knew what parts of his desk had certain things that he wouldn't get to anyway. So I'd finish what he had, sign whatever papers he had, finish whatever jobs there were, and then go on to some of the things that I knew (were) there before he—while he was gone or the time before. It was pretty close, I would say.

DT: But he had such a good working relationship, and suddenly, he makes you chief justice of the supreme court.

WR: I know, he . . . .

DT: Now, this, in a sense, was surprising, you know.

WR: Well, I get criticized for it, too, because they said he was eliminating the threat for his office, and I told him, no, I would never do it anyway. But, I don't know whether he had anything to do with sending names out, but you know, whenever he appointed somebody to anything, he would find a way to send the name out and get the community to react. When it came down to appointing me, I think he had to send the name down to the senate ten days before adjournment or they couldn't approve it, and then there'd be an interim appointment, because Chief Justice [Wilfred C.] Tsukiyama (had) died. And came the day before, before his

deadline, to send my name down. He called me and he said, "I've been reading the paper, about your being chief justice, and they are attributing that to me." And he looked at me, he said, "What about that? You think you're old enough?"

I said, "Well, I think so."

And then he said, "What does Amy think?"

So I said, "Well, you know how to get her, don't you?"

So he got her on the phone, he called her—Mary Isa [Burns' secretary] at that time—and he said, "Mary, get me Amy." So he got her on the phone and I could hear him say, "Amy, what about your husband being chief justice?" And then silence. Amy got her word in. (Chuckles) And then he said, "All right. I'll let you know." And he said to me, "Well, looks like that's what she wants you to do."

And I said, "Well, you know I agree with her, and you know I've talked some with her on it." And about two hours later, I heard it over the radio. That's how fast it went.

WN: Heard what? You mean . . .

WR: That he had appointed me. He'd sent the name down. And it wasn't until he had talked to her. Of course, I know what she said. She said, "I wanted him to get out of that position [lieutenant governor]. You got him over there doing something he's not necessarily happy with, and if you think he can be chief justice, go ahead." And so just like that, a matter of days, ten days later, they [state senate] approved it.

DT: What I was building up to, and I'd like to get your reaction to it, in a sense, this required a political sacrifice for Jack Burns to make, right?

WR: Yes.

DT: In a political sense.

WR: Well . . .

DT: Because the—tranquility with you as lieutenant governor, you could have easily run for another term, right, with him?

WR: Well . . .

DT: He didn't have that tranquility four years later [1966], did he? (Chuckles) If you stop to think about it.

WR: Yeah, but, he knew there were others that could do as good a job. There (were) plenty of young people around. He knew that. And he wanted the chief justice's position. This is not an ordinary judgeship. He says, "You've got the administration. You're going to administer one branch of the government."

DT: Well, in one sense, this appointment was sort of the end of your political career, in terms of a partisan political career. But in terms of the program sense, in terms of, let's say, a party program and a governmental program, in terms of your central interests, it was probably just a beginning, and maybe we can take that up after we've changed tapes.

WR: Yeah, and he knew it. He knew it.

DT: He knew what you had in mind.

WR: He knew how I would react with all the [supreme court] cases that were then pending.

DT: Okay, we'll change tapes and we'll get into some of that.

END OF SIDE TWO

TAPE NO. 17-45-1-90; SIDE ONE

JC: This is a continuation of the William Richardson interview. This is videotape number five.

WN: Okay, tape number five with Mr. William S. Richardson. During the time that you were lieutenant governor, I know that you made it pretty clear to Governor Burns in '62 that you didn't have aspirations for governor. But did you feel, at any time, that he was, indeed, preening you to become maybe governor in 1970?

WR: Oh yes, I know he was trying to do that because he gave me the kinds of assignments that would only bring great credit to me, and not to himself. I know he did that. But maybe you could say it was because he was such a great politician. He knew that if I could bring credit to myself, and that people knew that he and I were so close, that it would, in the final analysis, bring credit to him, too. That's a mark of a good politician, an astute one.

DT: Right, so this is what I was alluding to. His sacrifice in making you chief justice as over against keeping you as a part of his political team.

WR: Right. After I became chief justice, of course, you know, that was the end of the political time. Although, nobody could say that I was going to abandon an old friend, so, it was good there was King Street between us. But from a social end, I kept close contact with him. The business end, he says, "You're boss down there, I'm boss over here." You stay on your side, Jack, I'll stay on mine.

WN: A few more questions before we get into the chief justice era. What actually was the relationship between Jack Burns and your wife Amy? Was there a really close friendship?

WR: Oh, yeah, particularly with Mrs. [Beatrice] Burns. During campaigns when he was not here, I did the chores with Mrs. Burns and Amy along. And you know, I had to carry the wheelchair. He would come up late at night, and start, trying to get another viewpoint on something he was thinking about. And he would come up, and we'd get talking, all kinds of things. And he was always, "Well, what does Amy think?" You know. What's she going to

do on this one? What did she think ought to be done in this area? Anytime there was anything, any social thing or VIP appearance, like the queen of England might be coming into town, or the president of the United States would come in, and he'd have to do something with the president's wife, or the queen of England, "Go call Amy," you know. If he couldn't do it himself, it was, well, let Amy decide that. That's just the way, that's how close they were.

And she's a good student. She studied these things, too, you know. If I got an assignment to go anywhere, waiting to get on the airplane, she would bring out these things, she said, "Here, this is my research now. Now, I've got you in this airplane, you (have) six hours, here's what's going to happen. And here's where we're going, this is the history of this place, these are the people you're going to meet, and this is what I think we'll have the most fun doing." We traveled the Far East that way. Went to Cambodia, to Angkor Wat, she would do all that research. And Mrs. Burns would call and ask Amy to do the things around Washington Place. It was a very close relationship.

WN: I don't want to bring personalities too much into this, but how was Amy's relationships with, say, some of Burns' deputies like Mike Tokunaga and Dan Aoki?

WR: Oh, she liked them very much. She could tell Dan Aoki to get out, too. That's the best part, 'cause he was the type that, you know, he would boss her, and she'd say, "Look, you don't have to do that with me, you know. You want to tell me what you want, go ahead, but Dan, I'm not like the others." (Chuckles) And then with Mike and Dan, for years and years, after she died even, they would come up to carry on that relationship. Yeah, and Governor Burns and she died a month apart [in 1974].

WN: Oh, is that right?

WR: Yeah. They both were in the hospital their final days, the same time.

DT: Well, if I may change the pace just a little bit and get us into the era of chief justice. As I recall the period, not only was there a backlog of cases, which were going to be coming up to the courts, the Democrats, keep in mind, had really been in complete control for only four years. But you had, at least a couple things on your mind, that I know, one way or another we had talked about. You had an administrative division, really to set up, which had never really been set up under statehood. Administrative division of the court system, and the court system had to grow, and has, of course, grown a great deal, and the law school [i.e., University of Hawai'i William S. Richardson School of Law]. So these three topics, maybe you'd like to address each one of them: the case load, the administrative division of the courts, and the law school.

WR: Well, I remember first, when I first got in [in 1966], I decided I (had) better learn a little bit about being the chief around here. So I went to New York University to and appellate judges' conference before I wrote my first opinion, and there, I met Chief Justice [Warren E.] Burger—who became chief justice later [in 1969-86]. He was then, D.C. [District of Columbia] circuit [i.e., U.S. Court of Appeals] chief. And [William J.] Brennan, [Jr.], as well. From the state courts, (Roger) Traynor, one of the real powerhouses, one of the great judges of our time, and Traynor had written many of the opinions that led to the civil rights cases. And Brennan was also there. These (were my) teachers, now. They were teaching the

course, the two-week course, I think. I took my whole family up there. And I told Brennan about the backlog [in Hawai'i] and why, I thought, something was wrong about the backlog because many of the cases that were pending, were deliberately set aside because there was another case in the pipeline through the U.S. Supreme Court. And when I told Brennan that, he said, "You know, let me give you some advice. Why don't you go back and do all those cases before we do them. Then, if you come up with an opinion, and we're writing an opinion (on the same subject), we can just go ahead and follow yours, and it'd be better that way, and you'd get your ideas into the U.S. Supreme Court." [William J. Brennan, Jr. served as an associate justice of the United States Supreme Court from 1956 to 1990.]

So I went back and I said, "All those cases are coming on. We're going to hear 'em all, we're going to write 'em up." And we did. We did write 'em up.

Years later, Bill Brennan, who's still in the court [Brennan retired in 1990], and still on, what we might say, the liberal wing, made a speech that was picked up by *Time* magazine in which he said, "The only two states that had enough guts to do this, Hawai'i and New Jersey, my own home state." [Brennan was born in Newark, New Jersey.] (DT chuckles.) And he said, "We used all the opinions that were written by the state courts." And of course, I was never reversed by the U.S. Supreme Court while I was chief justice. And so it's something that I learned from him and I think it fared well for the state.

DT: And it might also be called living dangerously, too. (Chuckles)

WR: Well, it is. He could have reversed us right away and said, "Well, your reasoning was bad." But then he was depending on our reasoning, and we had minority views, too, on ours.

DT: Well, I know you took a great deal of pride in that. What about this administrative division as the court was growing up, really, under your tutelage. You were chief justice, and as I recall, in the constitution, you're it as far as that administrative division.

WR: Well, yes, the constitution does say that you're the administrative head. And I knew what it was to be the administrative head. You just—you're the administrator. Everything, you take all the credit, and you take all the blame. But you get the job done the best way you know how.

DT: So by the time you left in the early [19]80s [1982], you had built this up—how large was the administrative division, say, from start to finish?

WR: Well, I don't know. It was a small one. There was one clerk here, one law clerk (there). And when I got through, there were three for each justice. And I thought the opinions were sharp enough. They have held up over the years, and we took some of the real big ones that were necessary for the growth of this state. There were those cases that, even today, are of prime importance to us. You take water rights cases, you know, you know how important that is today. And we took 'em all. And I think they're following us now. Rights of way, beach frontage. I can remember two of them. They're still fighting over one of 'em down at Diamond Head. Yeah, I remember walking that one and going over the evidence.

Preserving the old Hawaiian ways. Strangely enough, you know, in Hawai'i, there's a difference from most other states. You have the legislative action, which is the same, but

what was Hawaiian law would follow before the common law. That's important because what was Hawaiian law, then carries over. Maybe there's some similarities in California where they use some Spanish law. But in Hawai'i, if we could find what the law was—and I did have some luxuries there, because I could say, I think the law was, or should have been this, from some of our *meles* (and history books—Samuel Kamakau, for example), maybe. And from that, a number of opinions were written. I thought the rights of way, the old rights of way, the old trails, the gathering rights, these are all old Hawaiian ways. You have a present-day statute, interpreting them, you interpret them in light of Hawaiian history. You use the term, you might live dangerously that way, but I think, when you get into the supreme court, you must live dangerously, too. You got your own conscience, your own background to live with and to try to use what you think is the benefit to the people of Hawai'i.

DT: Well, I tossed it out as saying that it was living dangerously because, I think, it sort of illustrates the spirit that you and some of your colleagues who were still back in the political arena were into, at that particular time, at that particular juncture, to accept the challenges of the time. You weren't about to take cover and run, right? Or am I wrong?

WR: You're right. You're right. I wasn't going to let any case hang around there and just not get decided. They're hard, that's why they should be there, because they're hard ones. Easy ones, they don't need you.

WN: Regarding the Hawaiian custom in law, I know you utilized the testimony of *kupuna* who were knowledgeable . . .

WR: Right.

WN: Especially in the shoreline and the water cases. And I know some of your detractors have said, well, you know, rather than using past precedent, past cases, legal western cases, you went back into the old Hawaiian case. I know Justice [Masaji] Marumoto was one of the people who came out.

WR: Well, oh yes. Marumoto, a great judge, mind you, now, great thinker. Remember on the shoreline case, he went down to the U.S. geodetic survey people to ask them what their records (showed). And so did I, (chuckles) on different days. And he came up with some of the conclusions that they had come up with, but I remember asking them how long they had been in Hawai'i, and they had been in Hawai'i for twenty-five years. And I said, "Well, twenty-five years isn't long enough for me, because we've got some information on what was in existence prior to the time the U.S. people came to Hawai'i. And if that was the law then, well, why can't it be today?" You know, they go and they poke a stick in the ground and they get a transom, is that what they call it? And they shoot a horizontal line and tell you, well, that's the shoreline, see. And they shoot the horizontal line in, and they tell you this is where it is. Well, of course, I came up with what I thought the Hawaiians felt should be the shoreline, and that's the high wash of waves.

And oh, they said, well now, look, we engineers can't buy that. You can't run straight lines that way because it changes by the season and all that. But that's the Hawaiian way. You couldn't leave your canoe on the beach and have it go [i.e., drift] out to sea at night. You must bring it far enough up. And as far up as you needed to bring it, must have been public domain. And that's one example.

And now, they're going to wrestle with the lava flow case that I wrote. Again, who's land is it? (DT chuckles.) That's going to come up. You know, this thing keeps on boiling over, we're going to be fighting over that in the next few years. Well, I wrote that one, and I got a lot of flack on that, but that's the law, and at least it settled it. And it's a stable law now, but if the legislature wants to change it, it can. But at least you got the starting point, and they haven't seen fit to change that.

DT: Apropos of this, if I may be a little bit blunt, and perhaps even impolite. About twenty years ago, I was on the [Queen] Lili'uokalani Children's Center board, and there were a group of young Hawaiians who appeared before the group—I won't bring any names into or anything of that sort—and they were grousing that they had to have more Hawaiian leaders in Hawai'i. And I checked on it, and I said, "Look, you have quite a goodly number in Hawaiian politics." And I mentioned you, among others, T. C. Yim, Sam Wilder King and so forth. And they came back at me with the this very blunt thing, "They don't count. We don't accept them as such." Now, this is still, perhaps, in its own way going on with some young attorneys now around town, this question of sovereignty, and . . .

WR: Young college professors. (Chuckles)

DT: Yeah, okay, sure. Looking upon you, and saying the message you don't count. Well, it sort of hurt my feelings, because I could empathize and more or less, grew up with you, in a way. I took offense on it. How do you feel about it?

WR: Well, they're entitled to their own opinion. Perhaps the newspapers gives more space to them than they do to others, but they are entitled to their opinions as to whether we or I represent the Hawaiian viewpoint or not. It may or may not be right. I hope that I do represent them. I try to go and get down to the grassroots area, and just try to check out what their thinking is. And I may be wrong, but . . .

DT: Well, is this point of view a minority point of view, do you feel, still today, or is it in danger of becoming a majority point of view as they talk about such things as sovereignty?

WR: We cannot go back that far. Too many generations have gone by. Can you think of my not being an American anymore, you know, and that's unthinkable. Cannot do it. I think they have to live within the system. The American system is a good system that can cope with these things.

DT: So you think this so-called new point of view is sort of transitory that it's not going to last very long?

WR: Yes, well, it has its place, I would say, that it keeps us from trampling over a minority. And we have to remember that. There is a minority out there somewhere, and they think differently. If it becomes a black-and-white thing, well, of course, I have to say I'm going this way. I'm living within the system. I'm going to correct this within the system.

DT: So if really pushed, you'd say, "I'd disagree," then?

WR: Yeah.

DT: Yeah, mm hmm.

WN: Okay, why don't we change tapes.

(Taping stops, then resumes.)

JC: The following is the final tape with William Richardson. This is tape number six.

WN: Tape six with Mr. William S. Richardson.

DT: All right, I don't know, we were just discussing off camera here, a point that I had thought that was impressive to me, at any rate, was this administrative division of the courts where you started out with, just literally, a handful of employees. By the time you left the courts, you may not have a precise figure, but approximately how many employees in that division?

WR: About, I would say a thousand, counting the judges, the clerks, the reporters, and others. I thought I made it a really independent branch, that said the governor should stay on his side of the street, and I'll stay on mine, and anything that had anything to do with the judiciary, was mine to handle. I did my own budgeting, and the governor never vetoed anything that I had on my budget.

DT: And you had to supervise, in essence, administrator of the courts, too, right?

WR: Right. I took a fellow that—a schoolteacher, as a matter of fact, (who had) never been inside the judiciary (building) before, too, but that's what I wanted. In fact, he had a master's degree in educational administration. I didn't need another lawyer, there were enough of them around there. But we needed an administrator.

DT: This, in essence, was Lester Cingcade, right?

WR: Right.

DT: Okay, I know the other big thing on your mind when you first went into office as chief justice, was, you really wanted a law school here at the University of Hawai'i [William S. Richardson School of Law]. And you might want to talk about that for a little while.

WR: Well, I had seen kids, bright kids, just not go to law school because we didn't have one. And they were going to be the leaders of Hawai'i in the future. And I know there was a lot of opposition, the bar opposed it. I guess, it was hard for members of the bar to look to the chief justice and say, "You're all wet. You don't need a law school here." But, many did say that, but I felt that there were too many young people that just would not go to law school unless there was one here. All the problems of the financing, the family ties just came into play, and I felt that sooner or later, if we had a law school, that the leadership of this community would come from that law school. And I think that's true now. The first constitutional convention after the law school was started, 10 percent of the delegates were from this law school. Just to show you how I thought I was right on that.

It was hard going. I know we barely got by with the proper number of votes each time. The legislature would appropriate some money to determine whether we should have one or not,

and then when we finally got a few dollars to start one, we had just a library and the dean. And again the legislature took it up to see whether we should go on and keep spending this kind of money. And they offered, of course, to pay the way of the prospective law students (to attend Mainland law schools). But just by insisting that they have one here, I think the young people have done well. And I feel that I have done something for the community by having started this law school, and like anything else, if you have a tough time getting it done, you appreciate it more. And I know the graduates of the law school never hesitate to tell me that they wouldn't have been lawyers, (or) wouldn't be in the positions that they now hold, if it hadn't been for the efforts of those who wanted that law school here. [The University of Hawai'i William S. Richardson School of Law admitted its first class in 1973.]

DT: So you might have a reservation or two about some of the views that come out of there, but on the balance, I guess, you're pretty happy with it. It bears your name, of course.

WR: Oh very happy. Very happy with it. And it can't be a law school that doesn't have divergent views. We should use the law school professors more and more for doing things in this community.

DT: You have a pretty good rapport with the professors in the law school?

WR: Very good. I see them frequently, and they come down to chat with me. One of the professors, for example, now, has (published) a case book. You know how we study law through the case books, and it's well over forty law schools that use his case book. And he's had some revisions already. And the case book (reviews) the important cases throughout the country. And the viewpoints of the professors.

DT: Was it published by West Publishing [Company] out of St. Paul? (Chuckles)

WR: Well, they use St. Paul a lot. You know, now, I think they have West Law [the research arm of West Publishing Company], and you can get the latest opinions on tape or in print.

DT: Really?

WR: I could, for example, go into a (supreme court) hearing having read all the briefs, and inevitably, the attorneys would come up with a new case. And I would have checked them out before the hearing started, and I could tell that attorney whether that case has been overturned or not. Because I can get that right out of St. Paul.

DT: Actually, I guess, the computers have really meant a lot to the court system, have they not?

WR: Oh, yeah. Instead of going through the stacks of books, you can just, by keying in certain words and phrases, you can pick that up right out of St. Paul. The case may have come out a week ago, out of some state court, seemingly insignificant, but hit the point, and you can do it from here.

DT: You know, it's very interesting to know that you have a sense of pride in the law school.

WR: Oh, yeah, and the students that come out. You know, when you have a governor [John D. Waihee] that has been through the law school, then you're beginning to take over the

judgeships, you know you're getting somewhere.

WN: Well, we have a few more minutes, if you can just, maybe, give us your reflections on your life and your political career. Are there any things that you would have done differently?

WR: Oh, I don't know whether I'd have done anything differently. I did the best I could. It may not have been to the satisfaction of everyone or to the majority of the people, but I felt I've done a little bit. I'm proud of it. I tried to compile all the opinions that I wrote or my court wrote, and once in a while I read them over, and say to myself, "Maybe the guy was right. Maybe he was wrong," you know, (chuckles) but I do have that luxury in that, if I made some mistakes, throughout the generations, (historians will) be able to point them out to me. What's done is done. What's right is right. Maybe when you run the highest court in the state, when you say this is the law, it is the law. (Chuckles) It's a little tough for someone to say you're wrong, because that is the law.

DT: The three attorneys over the sweep of history since World War II, that, in my judgment, and I may be terribly wrong, or don't be afraid to argue with me here, that I think have had a profound effect upon the sweep of Hawaiian political history, at any rate. You've already expressed, I think, an opinion on one or the other two. Those three attorneys, I might add, would be Martin Pence, Robert Dodge and Bill Richardson. So you've already, I think, commented a little bit about Robert Gray Dodge. What about Martin Pence? He was a Democrat, Big Island, before you actually got started in politics.

WR: Well, I don't want to criticize a judge who still sits.

DT: (Laughs) I thought you might take the fifth on that one, but I wanted to try.

WR: Well, I thought he wrote some opinions that he used language that he should not have used. And I answered one of them just before I left [in 1966], and that was one on the water rights case. And he was pretty tough on Justice [Kazuhisa] Abe, and should not have been. And when I appealed that case, I did it from a personal point of view as the administrator of the court. And I felt that the highest court of a state should be higher than the lowest court in the federal system. And I'll leave it up to you to read the water rights case, his language is something I would not have used.

DT: You want to be more explicit about that, or you're going to let it ride at that, when you talk about language here.

WR: Well, I'd leave it at that, but refer you to the cases. (DT chuckles) He wrote it, and it's in his records and it's in my records, so.

DT: Okay, apart from that one case, then. Apart from that one case, Judge, he was very active back in the [19]30s, in now capital D, Democratic politics on the Big Island, and then has subsequently, in essence, sort of left politics, perhaps even earlier than you did, and went on to the district court, and on to the federal court.

WR: Yeah, he was one of the first appointees under statehood by the U.S. government. I think he was a Truman appointee?

DT: No, he was a Kennedy appointee.

WR: Kennedy appointee.

DT: Yeah, '60, I believe.

WN: Sixty-three.

DT: Sixty-three, yeah, something like that. On balance, I gather, in terms of the Democratic party as a capital D party, you would judge that Bob Dodge made many more contributions than . . .

WR: Oh, by far. By far.

DT: Anything else about Bob Dodge you'd like to comment?

WR: Oh yeah. Bob was so good with a pen. I would call him sometimes, and I hear something over the radio that needed some real background thinking to answer. And Bob would have it out for me in no time.

DT: It gives me—I think I know a little about maybe what you were talking about when you left Kennedy's suite just before he got nominated. (Laughs)

WR: Yeah. And Kennedy was, gosh, I liked him. We had a lot of fun together when he was a [U.S.] senator, at least. I remember I took him to a *lū'au* in Hilo. And I had said to him, "Say, how'd you like the *lū'au?*"

He looked at me and he said, "It was very interesting." (Chuckles)

And so we went up to the Volcano House afterwards. And he had a bad back then, he was sitting down, drinking beer. And I said, "Well, maybe you'll want some food, then."

He said, "Yeah, we already ordered sandwiches."

(Laughter)

WR: After your *lū'au.* And then when he left, I was pretty tired of hosting him around, so I thought, well, I better see him off anyway. So I went down in my (walking) shorts. I'd been out to the country, and he looked at me and said, "You're out of uniform." The last words he said to me.

(Laughter)

DT: Well, he was out of uniform sometimes himself when . . .

(Laughter)

DT: . . . he played touch football back in . . .

WR: Yeah, we couldn't find him, and by golly somebody found him afterwards in the bar. He went out to get some beer. I could tell you a lot of stories about him.

DT: Well, it would be nice to continue with these, but I don't know. We probably had just about enough for today. What do you think, Warren?

WR: I can tell you a lot of stories about Chief Justice [Earl] Warren, too.

DT: It would be interesting if we . . .

WR: He's a great person.

DT: Maybe we can do an appendix sometime and chat just about Warren or perhaps Burger, you may have had a little bit more contract with Burger if we had a time to discuss it. Well, we thank you very much Judge, and hopefully, we'll have a chance to maybe continue this sometime.

WN: Thank you.

WR: Well, thank you for inviting me.

END OF INTERVIEW

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